

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO**

In re:

**SO'SILA ENTERPRISES, INC.,**

Debtor.

No.

**DEBTOR'S MOTION TO EMPLOY COUNSEL**

COMES NOW the Debtor and moves the Court for its Order authorizing it to employ Moore, Berkson & Gandarilla, P.C., to represent it in this CHAPTER 11 proceeding and related matters, and such other matters for which the Debtor may need legal advice or representation, and as grounds would show the Court:

1. Debtor filed its petition herein on September 23, 2009, and is operating as debtor in possession under chapter 11 of the Bankruptcy Code.

2. Debtor wishes to employ said counsel, who is admitted to practice before this Court, to represent and advise it in this proceeding and related matters, and in any other matters upon which the Debtor may need advice or representation.

3. Debtor desires to employ said counsel because Debtor believes said counsel possesses the skills and experience necessary to represent it.

4. To the best of said counsel's knowledge, none of the attorneys, nor any other employee of Moore, Berkson & Gandarilla, P.C., have any conflict with the Debtor, nor any relationship with creditors or any other party in interest herein, other than those, if any, set out in the verified statement filed herewith, which would disqualify counsel from representing the Debtor pursuant to 11 U.S.C. §1103.

5. Debtor desires to employ said counsel at the following hourly rates, subject to the review and allowance of this Court:

George M. Moore	\$230.00/hr.
Arin E. Berkson	\$200.00/hr.
Bonnie B. Gandarilla	\$200.00/hr
Paralegals	\$ 75.00/hr.

6. Debtor desires to reimburse counsel for costs or expenses generally as follows:

Photocopies:	\$ .15 per page, if done in office. Large copy jobs are generally contracted out to a copy service, and billed at actual cost.
Long distance phone:	\$1.50 per call, in state (in addition to time spent) \$2.50 per call, out of state, with calls billed separately from counsel's normal carrier monthly statement (such as conference calls arranged through a conference call center of operator), billed at actual cost.
Facsimile charges:	\$.50 per page, outgoing only
Postage, and other delivery:	Billed at actual cost
Computer research:	As charged to counsel by database access provider, or, if no direct charge to counsel, at a \$50/hr. surcharge over counsel's hourly rates.
Travel:	Actual cost of travel and any accommodations, or IRC mileage rate for travel in counsel's vehicle. Attorney time is billed at one-half of normal rate for travel time unless attorney can actually do legal work during travel time.

Taxes on services and expenses are billed at the NM Gross Receipts Tax rate for Albuquerque in effect at the time payment is made. The rate is currently 6.875%.

7. Debtor should be allowed to pay attorney fees, costs and expenses on a monthly basis, subject to Court review as required by law or rules of the Court on appropriate application by counsel for approval of fees, or to have counsel paid by any Trustee herein, as allowed by law, rules of Court, or any confirmed Plan, after approval of such fees, costs and expenses by the Court on

application therefore by counsel.

8. Prior to the filing of the petition herein, Debtor provided counsel with a retainer of \$6,039 from which counsel paid \$1,241.36 for pre-petition services and costs, and from which the \$1,039.00 filing fee was withdrawn.

9. Employment of said counsel is in the best interest of the Estate, and the Debtor, and should be approved.

10. Court approval of this employment should be retroactive to the date of the filing of the Debtor's motion to employ counsel.

Respectfully submitted by:

Moore, Berkson & Gandarilla, P.C.  
Counsel for Debtor  
s/ submitted electronically 9-23-09  
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